

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BRENDA M. JOHNSON,

Plaintiff,

v.

UNITED STATES, et al.,

Defendants.

CASE NO. C21-5225-RJB

ORDER ON REVIEW OF MOTION  
FOR RECUSAL

This matter is before the Court on Plaintiff Brenda M. Johnson's Motion seeking recusal of the Honorable Robert J. Bryan. Dkt #10. Judge Bryan has reviewed this Motion, declined to recuse, and in accordance with this Court's Local Civil Rules, referred this matter to the undersigned for review. Dkt. #11; LCR 3(f).

A judge of the United States shall disqualify himself in any proceeding in which his impartiality "might reasonably be questioned." 28 U.S.C. § 455(a). Federal judges also shall disqualify themselves in circumstances where they have a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts concerning the proceeding. 28 U.S.C. § 455(b)(1). Pursuant to 28 U.S.C. § 144, "whenever a party to any proceeding in a district court makes and files a timely and sufficient affidavit that the judge before whom the

1 matter is pending has a personal bias or prejudice either against him or in favor of any adverse  
2 party, such judge shall proceed no further therein, but another judge shall be assigned to hear  
3 such proceeding.” “[A] judge’s prior adverse ruling is not sufficient cause for recusal.” *United*  
4 *States v. Studley*, 783 F.2d 934, 939 (9th Cir. 1986); *see also Taylor v. Regents of Univ. of Cal.*,  
5 993 F.2d 710, 712 (9th Cir. 1993) (“To warrant recusal, judicial bias must stem from an  
6 extrajudicial source.”).

7 The Court has reviewed the above Motion and finds that Plaintiff has failed to  
8 demonstrate bias. Plaintiff states only that Judge Bryan has “knowledge of prior cases  
9 administer for proceedings,” has handled related cases, and that Plaintiff “believers [sic] the  
10 Judge Robert J Bryan has perform [sic] his duties bias and prejudice.” Dkt. #10. Judge  
11 Bryan’s involvement in related cases, even if true, is a typical practice of this Court and cannot  
12 constitute an extrajudicial source of bias.

13 Petitioner has otherwise failed to present a reasonable basis to question Judge Bryan’s  
14 impartiality. Accordingly, the Court finds and ORDERS that Judge Bryan’s Order declining to  
15 recuse himself, Dkt. #11, is AFFIRMED.

16 DATED this 17<sup>th</sup> day of August, 2021.

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20 RICARDO S. MARTINEZ  
21 CHIEF UNITED STATES DISTRICT JUDGE  
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